

REMARKS

Claims 1-11 are currently pending in the application. In the Office Action, Claims 6-8 and 10 were rejected under 35 U.S.C. §102(e) as being anticipated by *Mohebbi* (U.S. 6,603,971 B1), and Claims 1-5, 9, and 11 35 U.S.C. §103(a) as allegedly being unpatentable over *Mohebbi* in view of *Hulbert* (5,574,972).

The present invention is directed to a method for controlling uplink transmission power in a handover region by a UE (User Equipment) in communication with a Node B using an FCS (Fast Cell Selection) scheme. More specifically, the present invention provides various methods for compensating for an initial power offset at a handoff of the UE between two base stations.

With regard to Claim 6, the Examiner asserts that *Mohebbi* teaches all the recitations of this claim. However, it is respectfully submitted that the Examiner is incorrect.

Claim 6 recites controlling transmission power according to a TPC (Transmission Power Control) command received from the next best cell *for a delay time from a time slot where the UE recognized that the best cell must be changed*. That is, Claim 6 teaches controlling the transmission power of the UE according to a TPC command received from the next best cell, before this cell became the next best cell, i.e., for a delay time where the UE recognized that the best cell must be changed, before it was actually changed. It is respectfully submitted that *Mohebbi* merely teaches a soft handoff method as cited in the background section of the present application, which does not compensate for an initial power offset at a handoff of the UE between the best and next best base stations. Therefore, it is respectfully submitted that the Examiner is incorrect in rejecting Claim 6, and it is respectfully requested that the rejection be withdrawn.

With regard to Claim 10, the Examiner asserts that *Mohebbi* teaches all the recitations of this claim. However, again it is respectfully submitted that the Examiner is incorrect.

Claim 10 recites transmitting a power-down command only when respective states of the radio links for a duration from a point in time where the UE recognized that the best cell must be changed until a point in time where the best cell is actually changed from the current best cell to the next best cell, are larger than or equal to a preset threshold, and transmitting a power-up command when any one of the radio links has a state value lower than the threshold. It is respectfully submitted that there is no section of *Mohebbi* that teaches these recitations. As indicated above, it is respectfully submitted that *Mohebbi* merely teaches methods of selecting the next best base station, not any methods of compensating for an initial power offset at a handoff of the UE between the best and next best base stations. Therefore, it is respectfully submitted that the Examiner is incorrect in rejecting Claim 10, and it is respectfully requested that the rejection be withdrawn.

With regard to Claim 1, the Examiner asserts that *Mohebbi* in view of *Hulbert* teach all the recitations of this claim. More specifically, the Examiner asserts that *Mohebbi* teaches all the recitations of Claim 1 except for determining, when a next best cell is selected from the plurality of the cells, a transmission power offset by comparing TPC commands from the current best cell with TPC commands from the next best cell for the specific duration at a point in time where the best cell is changed from the current best cell to the next best cell, and transmitting initial transmission power for the next best cell at a transmission power level determined considering the transmission power offset, which the Examiner asserts is taught in *Hulbert*. However, it is respectfully submitted that the Examiner is incorrect.

More specifically, it is respectfully submitted that the Examiner's assertions in regards to *Hulbert* are incorrect. While *Hulbert* does recite an accumulator 70, which takes accumulated up/down power signals to create an overall level that controls the power of the output transmitter 52 (column 3, lines 59-62), it is respectfully submitted that this is not an equivalent of a power offset that is used to determine and transmit an initial transmission power for the next best cell. Therefore, it is respectfully submitted that the Examiner is incorrect in rejecting Claim 1, and it is respectfully requested that the rejection be withdrawn.

With regard to Claim 11, the Examiner makes a similar rejection as to that for Claim 1. Therefore, for the reasons stated above with regard to Claim 1, it is respectfully submitted that the Examiner is incorrect in rejecting Claim 11, and it is respectfully requested that the rejection be withdrawn.

Based on the arguments presented above, it is respectfully submitted that independent Claims 1, 6, 10, and 11 are in condition for allowance. Without conceding the patentability per se of the pending dependent claims, they are likewise believed to be allowable by virtue of their dependence on independent Claims 1, 6, 10, and 11, respectively. Accordingly, reconsideration and withdrawal of the rejections and objections of the dependent claims are respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-11, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

A handwritten signature in cursive script, reading "Peter G. Dilworth".

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